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Security Council

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Resolution 1542 (2004)

Adopted by the Security Council at its 4961st meeting, on 30 April 2004

The Security Council,

Recalling resolution 1529 (2004) of 29 February 2004,

Welcoming the report of the Secretary-General on 16 April 2004 (S/2004/300) and supporting its recommendations,

Affirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Deploring all violations of human rights, particularly against the civilian population, and urging the Transitional Government of Haiti ("Transitional Government") to take all necessary measures to put an end to impunity and to ensure that the continued promotion and protection of human rights and the establishment of a State based on the rule of law and an independent judiciary are among its highest priorities,

Reaffirming also its resolutions 1325 (2000) on women, peace and security, 1379 (2001), 1460 (2003) and 1539 (2004) on children in armed conflicts, as well as resolutions 1265 (1999) and 1296 (2000) on the protection of civilians in armed conflicts,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Commending the rapid and professional deployment of the Multinational Interim Force (MIF) and the stabilization efforts it has undertaken,

Taking note of the Political Agreement reached by some key parties on 4 April 2004 and *urging* all parties to work without delay towards a broad political consensus on the nature and duration of the political transition,

Reiterating its call upon the international community to continue to assist and support the economic, social and institutional development of Haiti over the long term, and welcoming the intention of the Organization of American States (OAS), the Caribbean Community (CARICOM), and of the international donor community, as well as international financial institutions, to participate in those efforts,

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Noting the existence of challenges to the political, social and economic stability of Haiti and determining that the situation in Haiti continues to constitute a threat to international peace and security in the region,

1. *Decides* to establish the United Nations Stabilization Mission in Haiti (MINUSTAH), the stabilization force called for in resolution 1529 (2004), for an initial period of six months, with the intention to renew for further periods; and requests that authority be transferred from the MIF to MINUSTAH on 1 June 2004;

2. *Authorizes* remaining elements of the MIF to continue carrying out its mandate under UNSCR 1529 (2004) within the means available for a transition period not exceeding 30 days from 1 June 2004, as required and requested by MINUSTAH;

3. *Requests* the Secretary-General to appoint a Special Representative in Haiti who will have overall authority on the ground for the coordination and conduct of all the activities of the United Nations agencies, funds and programmes in Haiti;

4. *Decides* that MINUSTAH will consist of a civilian and a military component in accordance with the Secretary-General's report on Haiti (S/2004/300): a civilian component will include a maximum of 1,622 Civilian Police, including advisers and formed units and a military component to include up to 6,700 troops of all ranks; and *requests further* that the military component report directly to the Special Representative through the force commander;

5. *Supports* the establishment of a Core Group chaired by the Special Representative and comprising also his/her Deputies, the Force Commander, representatives of OAS and CARICOM, other regional and subregional organizations, international financial institutions and other major stakeholders, in order to facilitate the implementation of MINUSTAH's mandate, promote interaction with the Haitian authorities as partners, and to enhance the effectiveness of the international community's response in Haiti, as outlined in the Secretary-General's report (S/2004/300);

6. *Requests* that in carrying out its mandate, MINUSTAH cooperate and coordinate with the OAS and CARICOM;

7. *Acting* under Chapter VII of the Charter of the United Nations with regard to Section I below, *decides* that MINUSTAH shall have the following mandate:

I. Secure and Stable Environment:

(a) in support of the Transitional Government, to ensure a secure and stable environment within which the constitutional and political process in Haiti can take place;

(b) to assist the Transitional Government in monitoring, restructuring and reforming the Haitian National Police, consistent with democratic policing standards, including through the vetting and certification of its personnel, advising on its reorganization and training, including gender training, as well as monitoring/mentoring members of the Haitian National Police;

(c) to assist the Transitional Government, particularly the Haitian National Police, with comprehensive and sustainable Disarmament, Demobilization and

Reintegration (DDR) programmes for all armed groups, including women and children associated with such groups, as well as weapons control and public security measures;

(d) to assist with the restoration and maintenance of the rule of law, public safety and public order in Haiti through the provision inter alia of operational support to the Haitian National Police and the Haitian Coast Guard, as well as with their institutional strengthening, including the re-establishment of the corrections system;

(e) to protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its personnel, taking into account the primary responsibility of the Transitional Government in that regard;

(f) to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, without prejudice to the responsibilities of the Transitional Government and of police authorities;

II. Political Process:

(a) to support the constitutional and political process under way in Haiti, including through good offices, and foster principles and democratic governance and institutional development;

(b) to assist the Transitional Government in its efforts to bring about a process of national dialogue and reconciliation;

(c) to assist the Transitional Government in its efforts to organize, monitor, and carry out free and fair municipal, parliamentary and presidential elections at the earliest possible date, in particular through the provision of technical, logistical, and administrative assistance and continued security, with appropriate support to an electoral process with voter participation that is representative of the national demographics, including women;

(d) to assist the Transitional Government in extending State authority throughout Haiti and support good governance at local levels;

III. Human Rights:

(a) to support the Transitional Government as well as Haitian human rights institutions and groups in their efforts to promote and protect human rights, particularly of women and children, in order to ensure individual accountability for human rights abuses and redress for victims;

(b) to monitor and report on the human rights situation, in cooperation with the Office of the United Nations High Commissioner for Human Rights, including on the situation of returned refugees and displaced persons;

8. *Decides* that MINUSTAH in collaboration with other partners shall provide advice and assistance within its capacity to the Transitional Government:

(a) in the investigation of human rights violations and violations of international humanitarian law, in collaboration with the Office of the High Commissioner for Human Rights, to put an end to impunity;

(b) in the development of a strategy for reform and institutional strengthening of the judiciary;

9. *Decides further* that MINUSTAH shall coordinate and cooperate with the Transitional Government as well as with their international partners, in order to facilitate the provision and coordination of humanitarian assistance, and access of humanitarian workers to Haitian people in need, with a particular focus on the most vulnerable segments of society, particularly women and children;

10. *Authorizes* the Secretary-General to take all necessary steps to facilitate and support the early deployment of MINUSTAH in advance of the United Nations assumption of responsibilities from the Multinational Interim Force;

11. *Requests* the Haitian authorities to conclude a status-of-force agreement with the Secretary-General within 30 days of adoption of this resolution, and notes that pending the conclusion of such an agreement the model status-of-force agreement dated 9 October 1990 (A/45/594) shall apply provisionally;

12. *Demands* strict respect for the persons and premises of the United Nations and associated personnel, the OAS, CARICOM and other international and humanitarian organizations, and diplomatic missions in Haiti, and that no acts of intimidation or violence be directed against personnel engaged in humanitarian, development or peacekeeping work; *demands further* that all parties in Haiti provide safe and unimpeded access to humanitarian agencies to allow them to carry out their work;

13. *Emphasizes* the need for Member States, United Nations organs, bodies and agencies and other international organizations, in particular OAS and CARICOM, other regional and subregional organizations, international financial institutions and non-governmental organizations to continue to contribute to the promotion of the social and economic development of Haiti, in particular for the long-term, in order to achieve and sustain stability and combat poverty;

14. *Urges* all the above-mentioned stakeholders, in particular the United Nations organs, bodies, and agencies to assist the Transitional Government of Haiti in the design of a long-term development strategy to this effect;

15. *Calls on* the Member States to provide substantial international aid to meet the humanitarian needs in Haiti and to permit the reconstruction of the country, utilizing relevant coordination mechanisms, and *further calls* upon States, in particular those in the region, to provide appropriate support for the actions undertaken by the United Nations organs, bodies and agencies;

16. *Requests* the Secretary-General to provide an interim report to the Council on the implementation of this mandate, and to provide an additional report prior to the expiration of the mandate, containing recommendations to the Council on whether to extend, restructure or reshape the mission to ensure the mission and its mandate remain relevant to changes in Haiti's political, security and economic development situation;

17. *Decides* to remain seized of the matter.